

REMARKS

Claims 1-29 were pending in the above-captioned patent application prior to this amendment. Claims 1-7, 9, 10, 15 and 29 have been amended. Claims 21-28 have been canceled. New claims 30-37 have been added. Thus, claims 1-20 and 29-37 remain pending in the application after this amendment.

The specification has been amended to include patent application serial number information that was not known at the time the above-captioned patent application was filed.

A set of formal patent drawings to replace the informal drawings originally filed with the application are submitted concurrently herewith in a separate paper. It is respectfully requested that the formal drawings be the drawings that publish in any patent issuing from this patent application.

The examiner's allowance of claims 18-20 is noted with appreciation. In co-pending U.S. Patent Application No. 10/802,287, an Office Action was mailed on September 28, 2005 in which prior art references not of record in the present application were cited to reject certain claims of that co-pending application, which claims might arguably be directed to similar subject matter as some of the claims of the present application. An Information Disclosure Statement is submitted concurrently herewith as a separate paper to list the references cited in the Office Action of the co-pending application and to provide an English translation of DE 92 04 321.6. It is noted that the examiner of this application is also the examiner of the co-pending application. It should be noted that the use of the term "telescoping" before the term "arm" in claim 18 is not intended to mean that the physical act of telescoping is required to fall within the scope of the claim. Rather, even when a telescoping arm is stationary and not telescoping, it is still intended to be within the scope of the term "telescoping arm."

The examiner indicated that claims 9, 10 and 15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 9, 10 and 15 have been so rewritten without narrowing their scope. Accordingly, claims 9, 10 and 15 are in condition for allowance and such action is respectfully requested.

Claim 4 has been amended to depend from claim 3, rather than claim 1, in order to cure the informality noted by the examiner. Claim 5 has also been amended to depend from claim 1. The amendment to claim 5 is not for any reason related to patentability.

The examiner rejected claims 6-8, 11, 12, 17 and 29 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,945,592 to Sims et al. Claim 6 has been amended to recite, among other things, “a support arm coupled to the intermediate frame for pivoting movement” and “wherein the equipment support can be moved between a use position at the head end of the patient support and a transport position along a selected one of the sides of the patient support, at least a portion of the support arm being situated beneath the intermediate frame when the equipment support is in the transport position.” The examiner contends that elements 16, 18 of Sims et al. are the recited support arm. However, element 18 is the only element in Sims et al. that is disclosed as being able to pivot relative to the frame 32 of Sims et al. Furthermore, there is no teaching or suggestion in Sims et al. that any portion of element 18 is situated beneath any element of patient transport device 14 when in any position, let alone when in a position supporting apparatus 12 of Sims et al. along a side of device 14 of Sims et al. Thus, Sims et al. does not anticipate claim 6 or any claim dependent therefrom. Accordingly, claim 6 along with claims 7, 8, 11-14, 16, and 17 which depend therefrom, are in condition for allowance and such action is respectfully requested. Claim 7 is amended to further clarify the manner in which the support arm is pivotably coupled to the intermediate frame.

Claim 29 has been amended to recite, among other things, “an arm supported in the room for pivotable movement about a generally vertical axis, a column coupled to the arm and having a movable portion that is movable vertically relative to the arm, a patient support . . . , a stand . . . , and an equipment support having a frame for supporting medical equipment and a post extending downwardly therefrom, the equipment support being coupled to the movable portion of the column.” While Sims et al. discloses a patient support and a stand (see elements 14 and 40 of Sims et al., respectively), there is no teaching or suggestion in Sims et al. of the “arm” or “column” recited in claim 29. Thus, Sims et al. does not anticipate claim 29 or any claim dependent therefrom. Accordingly, claim 29 along with new claims 32-37 which depend therefrom, are in condition for allowance and such action is respectfully requested.

The examiner rejected claims 1-5, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Sims et al. in view of U.S. Pat. No. 4,744,536 to Bancalari. As to claims 13 and 14, this rejection is rendered moot due to the dependency of these claims from claim 6 which is in condition for allowance as discussed above. Claim 1 has been amended to recite, among other things, “a stand to be removably coupled to the equipment support, the stand comprising a

set of legs movable between a storage position and a use position, the set of legs being in the storage position when the patient support supports the engager, the equipment support, and the stand at a first elevation, and the set of legs engaging the floor and automatically deploying from the storage position to the use position in response to the patient support lowering the engager, the equipment support, and the stand downwardly from the first elevation to a second elevation.” The examiner admits that Sims et al. has no set of legs movable between a storage position and a use position as recited. The legs 18 of Bancalari’s stand 12 would not be able to engage the floor and automatically deploy from a storage position to a use position in response to lowering of the stand downwardly. Thus, Sims et al. and Bancalari, either alone or in combination, neither teach nor suggest all of the limitations now recited in claim 1. Accordingly, claim 1 along with claims 2-5 which depend therefrom, are in condition for allowance and such action is respectfully requested.

If there are any questions or comments that would speed prosecution of this patent application, the examiner is invited to call the undersigned at (317) 231-7341.

A check in the amount of \$200 is enclosed to pay for one additional independent claim in excess of the highest number of independent claims for which payment was previously made. It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and that shortages in fees, if any, be charged, or any overpayment in fees credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 with reference to file 7175-74605.

Respectfully submitted,

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